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**COURT OF SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA**

**Case Title:** Muhammad Jameel VS Suhbat Khan etc

Serial No of order or proceeding s	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No. 03	26.06.2025	<p>Petitioner along with counsel present. Respondents along with counsel present.</p> <p>This order is to decide an application for interim injunction filed by Mr. Muhammad Jameel, the petitioner, against Mr. Suhbat Khan and other, the respondents. The latter have filed their written reply.</p> <p><b><u>Brief Account:</u></b></p> <p>Petitioner claims that respondents have recently attempted to block access to an entrance gate of his residence by putting broken branches and stones. He claims that suit house and the plot to its front is their property since decades. He adds that respondents are beyond their rights in their illegal interference with suit property.</p> <p>Respondents counter assert that petitioners have no land in the vicinity of the house, and that they seem keen on paving a path through their field. They claim that a partition suit is also pending adjudication between the co-sharers in the court. They contend that petitioners are unlawfully demanding access to which they are not entitled.</p>

**IAJAZ MAHSOOD**  
Senior Civil Judge, JM  
Orakzai at Baber Mela

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<b>Order No. 03 continued</b>	26.06.2025	<p>It is pertinent to mention that defense was exceedingly harsh in their opposition to the claim of the petitioner. Their conduct was characterized by defiance and prospective disobedience against which they were cautioned in strict and clear terms. Any conduct in the court that might corrode its dignity or authority shall not be tolerated.</p> <p>Arguments heard and record perused.</p> <p><b><u>Reasons:</u></b></p> <p>Petitioner claims that disputed gate, and the plot in front of it are his entitlements. Defendant deny his title as claimed. Petitioner's counsel pointed out that although respondents have denied petitioner's claim to title, they have not made any claim or stated any relation of their own to the suit land.</p> <p>This objection prompted the court to verify it with the help of the counsel. Other than an incidental mention 'our field' the pleadings of the respondents omit to make any direct and particularized claim to the title of the suit land.</p> <p>Petitioners' counsel further posed a rhetorical question as to why someone would expend funds on installation of a gate, and corrupt the structural of his building, if he has no space to open the gate into.</p> <p>Clearly, it has been decades since the gate was first</p>
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<b>Order No. 03 continued</b>	26.06.2025	<p>installed. It is more probable than not that the gate was meant to leave an access to the side of the house which is presently being claimed by both sides.</p> <p>Respondents indirectly conceded their interference with the access when they tried to explain that the material has been dropped at a distance from the gate so that it could be used to access the adjacent street.</p> <p><b><u>Ruling:</u></b></p> <p>In these circumstances, without commenting on the entitlement claims of the sides, the court considers it fair and advised to restrain the respondents from blocking the gate by dropping stones and woods. The order shall remain in field for six months or till the disposal of the suit, whichever come prior.</p> <p>File be consigned to the record room after its completion and compilation.</p> <p><b><u>Announced</u></b> 26.06.2025</p> <p style="text-align: right;"> <b>Ijaz Mahsood</b> Senior Civil Judge, Orakzai (at Baber Mela)</p>
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